

Remarks

In response to the Office Action mailed December 28, 2004, the Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. The claims as presented are believed to be in allowable condition.

In the present application, claims 1-20 have been canceled and new claims 21-34 have been added. New independent claims 21, 28, and 35 correspond essentially to canceled claim 7 rewritten in independent form (including the canceled base claim 5 and the canceled intervening claim 6) with the clarification that, if no recorded audio message is received from the calling party directed to the called party, then a determination is made as to whether the directory number associated with the call matches the directory number associated with a pre-recorded audio message. Support for claims 21, 28, and 35 may be found in Fig. 3, page 6, lines 8-11, and on page 11, lines 11-30 through page 12, lines 1-5. New dependent claims 22-27, 29-34, and 36-40 correspond to the subject matter of canceled claims 11-20. No new matter has been added.

Claims 1-20 are currently pending in the application. Claims 1, 3-5, 8 and 10-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bull et al. ("Bull," U.S. Patent 6,498,841) in view of Lim (U.S. Patent 5,265,145). Claims 2, 6 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bull in view of Lim and in further view of Pelletier et al. ("Pelletier," U.S. Patent 6,608,891). Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 U.S.C. §103

Claims 1, 3-5, 8 and 10-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bull in view of Lin. As noted above, the aforementioned claims have been canceled. Accordingly, these rejections should be withdrawn. Similarly, the rejections of claims 2, 6 and 9, which stand rejected over Bull in view of Lim and in further view of Pelletier should also be withdrawn.

New claims 21-40

As noted above, new claims 21-40 have been added. New independent claims 21, 28, and 35 correspond essentially to canceled claim 7 rewritten in independent form (including the canceled independent base claim 5 and the canceled dependent intervening claim 6). In particular, new claims 21, 28, and 35 specify a method, system, and computer-readable medium for providing audio caller identification. The method includes receiving a call from a calling party at a calling party switch directed to a called party at a called party switch, sending call information associated with the call to a query module, the call information including the directory number of the calling party, at the query module, querying the database of caller identification information for caller identification information associated with the call, wherein the caller identification information comprises at least one of the directory number and a name associated with the calling party, determining, at an intelligent routing module, if a recorded audio message is received from the calling party directed to the called party, if a recorded audio message is received, then sending the recorded audio message from the calling party to a called party identification device via the called party switch, causing the called party caller identification device to play the recorded audio message from the calling party and contemporaneously display the caller identification information associated with the call, and if no recorded audio message is received from the calling party directed to the called party, then

determining if the directory number associated with the call matches the directory number associated with a pre-recorded audio message and if so, then sending the pre-recorded audio message to the called party identification device via the called party switch, causing the called party identification device to play the pre-recorded audio message and contemporaneously display the caller identification information associated with the call, if the directory number associated with the call does not match the directory number associated with the pre-recorded audio message, then causing the intelligent routing module to synthesize and send an audio message related to the caller identification information associated with the call to the called party identification device via the called party switch, and causing the called party caller identification device to play the audio message and contemporaneously display the caller identification information associated with the call.

As noted in the Office Action, canceled claim 7 would be allowable over the cited references of record (i.e., Bull, Lim, and Pelletier) if rewritten in independent form. Therefore, it is respectfully submitted that new independent claims 21, 28, and 35 which correspond to canceled claim 7 are allowable over the Bull, Lim, and Pelletier. Claims 21-27, 29-34, and 36-40 depend from independent claims 21, 28, and 35 respectively and are thus allowable for at least the reasons stated above with respect to claims 21, 28, and 35, as well as the features set forth therein. Therefore, based on the above discussion, new claims 21-40 are in condition for allowance.

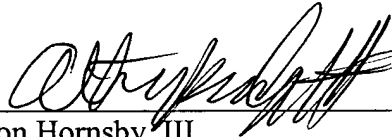
Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicant's attorney at the number listed below.

Respectfully submitted,

MERCHANT & GOULD

Date: January 21, 2005


Alton Hornsby, III
Registration No. 47,299
404-954-5100

Merchant & Gould, LLC
P.O. Box 2903
Minneapolis, MN 55402-0903
Telephone: 404.954.5100

